

April 24, 2006
Seven o'clock P.M.
North Little Rock City Hall Council Chambers
300 Main Street
North Little Rock, Arkansas

The regular meeting of the North Little Rock City Council was called to order at 7:00 p.m. by the honorable Mayor PATRICK HENRY HAYS. The roll having been called, and the following Aldermen answered to their names: MARTIN GIPSON, NEIL BRYANT, LINDA ROBINSON, OLEN THOMAS, GARY BERRY, JOHN PARKER, and MURRY WITCHER, a quorum was declared (7/0). Alderman CHARLIE HIGHT was absent. City Clerk Diane Whitbey and City Attorney Paul Suskie were also present.

The invocation was given by Alderman Berry, followed by the pledge of allegiance to the flag which was led by Alderman Parker.

On the motion of Alderman Witcher and seconded by Alderman Berry, and by consent of all members present, the minutes from a regular council meeting and Special Call meeting held on April 10, 2006, were approved, accepted and filed as prepared by the City Clerk (7/0).

On the blanket motion of Alderman Berry and seconded by Alderwoman Robinson, and by consent of all members present, communications # 1, 2, 3, and 4 were accepted and filed (7/0).

1. W. A. Anderson, email letter to Mr. Avon Phillips, Jr. re: employee conduct, granddaughters clothing and Arkansas Towing and Recovery Board meeting, May 23, 2006.
2. Fay Salaam, Petition requesting Speed Hump(s), 44th Street, Division to Lynn Lane (22 signatures).
3. Sharon Tedford, Mayor's Office, memorandum re: application for replacement restaurant mixed drink permit for The Nest, 3805 MacArthur Drive, by Marianne Floyd.
4. W. A. Anderson, email letter to Mr. Avon Phillips, Jr. re: letter of apology dated April 4, 2006.

On the motion of Alderman Gipson and seconded by Alderman Witcher, and by consent of all members present, communication #5 was read by title only, accepted and filed (7/0).

5. Alderman Gipson letter to council re: proposed ordinance prohibiting access to residential property across curbs and sidewalks and requesting public hearing at the second meeting in May 22, 2006, at 7:05 p.m.

Alderman Gipson advised there are residential areas in the city where people drive vehicles over the curb and park in yards resulting in eventual damage to the curb. Alderman Thomas said curbs in his area are the roll type and easier to drive over without damage.

On the motion of Alderman Berry and seconded by Alderman Witcher, and by consent of all members present, communication #6 was read by title only, and accepted and filed (7/0).

6. Bob Hindon, Petition for Formation of Property Owners' Improvement District, Cypress Crossing Multi-Purpose Municipal Property Owners' Improvement District No. 26 of North Little Rock. A public hearing will be held the second meeting in May, 2006, at 7:05 p.m.

Mayor Hays advised the second council meeting in May might be rescheduled.

Mayor Hays invited Colonel Wally Walters who is in charge of the Little Rock U. S. Corps of Engineers office to come forward. Colonel Walters provided a presentation to the council regarding the McClellan-Kerr System. There are 18 Locks and Dams along the system. Concerns include water supply and disaster response. The Corp works with the U. S. Army, Air Force and other Military Operations by providing military construction and support. The Corp is involved in completing the longest pedestrian/bike bridge (specifically designated for that purpose) in the country which will connect the North Little Rock and Little Rock Trails. (A dedication/ribbon cutting ceremony will be held September 30, 2006). The Corp is the regulatory authority over the system (as provided in Sections 10 and 404 of the U. S. Congress). The Corp works to enhance the environment. Hydro Electric Plants provide electricity. Arkansas rivers and lakes provide recreational opportunities. Riverfront development opportunities exist on the North side of the Arkansas River between the cities of North Little Rock and Little Rock (in part due to the natural navigation channel being on the South side). Colonel Walters discussed a special management plan pertaining to White Oak Bayou. Colonel Walters advised he approached Mayor Hays with the possibility of adding one of two vessels to the Arkansas Inland Maritime Museum fleet in North Little Rock. These vessels will be decommissioned soon and are the Motor Vehicle (MV) Wailes and MV Patoka and described both. The Dark Hollow area, flood reduction and Redwood Tunnel were also discussed. A report regarding the same will be provided in July.

Mayor Hays invited Mr. Charlie Baxter, Patrick Henry Hays Senior Citizens Center Director to come forward. Mr. Baxter advised four ladies who are in the Ladies Sports Hall of Fame in Cooperstown will be at the center on Friday to talk about their life and experiences playing on an all-girl baseball team (which was depicted in the film *A League of Their Own*). Lunch is at 11:30 p.m. and tickets are \$10.00. Thursday, April 27, 2006, an Art Show will be open to the public from 6:30 p.m. until 8:30 p.m. Everyone was encouraged to attend and purchase artwork.

Mayor Hays advised the ballpark construction contractor will be available, April 27, 2006, at 6:00 p.m. at the ballpark site to answer questions from council members and advised interested persons should contact his office before Thursday. The ballpark is scheduled to open April 5, 2007.

Mayor Hays invited Mr. Bob Gorman to come forward. Mr. Gorman previously presented options for development in the downtown area and provided an updated presentation of the area which included the ballpark, condominiums and hotels.

North Little Rock has several land resources available and advised the focus is on the downtown quarter (a visual presentation of the was provided). Developments are occurring quickly in an area from Alltel Arena to the new ballpark and suggested a sports promenade along 2nd Street. Improving traffic flow and discouraging short-cuts and parking in residential areas of the Historic Argenta District along with parking alternatives were discussed. Adequate sidewalks are necessary. Mr. Gorman indicated City Hall, Main Street and Alltel Arena on the illustrations. A new park square could be created in the area South of City Hall (site of Bank of America, City Services Building). This presentation represents a vision of what development possibilities exist. A study of an area downtown

Little Rock helped create what is now the River Market area, which did not exist previously. The same is possible in North Little Rock.

Mayor Hays advised the week of April 30, through May 6, 2006, is Municipal City Clerks Week and proclaimed the same in North Little Rock and thanked North Little Rock City Clerk Ms. Whitbey and her staff for the services they provide the city.

Mayor Hays invited Mrs. Margaret Powell, Community Relations Director to come forward. Mrs. Powell discussed the “*Keep North Little Rock Beautiful*” campaign, then invited Mr. Wayne Rathbun, Waste Management to come forward, at which time he presented a check to the city in the amount of \$3,000.00 to be used toward the Citywide Cleanup, May 6, 2006. The city has been involved in a successful recycling program with Waste Management for three years. Alderman Parker accepted the check on behalf of the city. A 30 minute Public Service Announcement (PSA) was played. Mrs. Powell advised the cleanup will be Saturday, May 6, 2006. Anyone interested in participating can contact her at 501-340-5305 or be at the substation at 6th and Main Street at 8:30 a.m. May 6th. The message was “it’s your responsibility to keep our city beautiful”. Alderman Parker announced containers will be provided at local pharmacies to be used for hypodermic needle disposal. A citizen group has been created who are concerned about litter issues in the area.

UNFINISHED BUSINESS

R-06-57

A RESOLUTION DELAYING THE ELECTRIC RATE INCREASE TO NORTH LITTLE ROCK ELECTRIC CUSTOMERS PENDING RECEIPT OF DATA ON ACTUAL COST OF WHOLESALE PURCHASE POWER; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderman Thomas and seconded by Alderwoman Robinson. Alderman Witcher raised a point of order regarding a whether a resolution can override an ordinance. A resolution indicates intent only. Alderman Gipson asked the sponsor to hold legislation until after the vote on O-06-37. Alderman Thomas called for a vote on the previous motion, and the following members having voted in the affirmative: Robinson, Thomas, Berry and Witcher, and the following members having passed: Gipson, Bryant and Parker, the motion failed (4/3). **(See recalled item below).*

O-06-37 (ORDINANCE NO. 7822 - ALDERMAN GIPSON)

AN ORDINANCE REPEALING ORDINANCE NO. 7803 AND AMENDING ELECTRIC RATES FOR THE NORTH LITTLE ROCK ELECTRIC DEPARTMENT CUSTOMERS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read one time April 10, 2006, was read a second time. On the motion of Alderman Gipson and seconded by Alderman Witcher, and by consent of all members present, the ordinance was amended as follows: *delete in title AND AMENDING ELECTRIC RATES FOR THE NORTH LITTLE ROCK ELECTRIC DEPARTMENT CUSTOMERS, and delete SECTION 2: THAT THE NEW RATES AND EFFECTIVE DATES FOR THE NORTH LITTLE ROCK ELECTRIC CUSTOMERS WILL BE PURSUANT TO EXHIBIT “A” ATTACHED HERETO AND INCORPORATED BY REFERENCE., and renumber Section 3 TO 2, and Section 4 TO 3* (and remove Exhibit “A”)(7/0). On the motion of Alderman Gipson and seconded by Alderman Witcher, and by consent of all members present, the rules were suspended and the

ordinance was placed on its third and final reading (7/0). The roll having been called, and all members present having voted in the affirmative, the ordinance was adopted as amended (7/0). Emergency clause adopted (7/0).

**Alderman Gipson made a motion to recall R-06-57, which was seconded by Alderman Berry, and by consent of all members present, the resolution was recalled.*

R-06-57 (RESOLUTION NO. 6934 - ALDERMAN THOMAS)

A RESOLUTION DELAYING THE ELECTRIC RATE INCREASE TO NORTH LITTLE ROCK ELECTRIC CUSTOMERS PENDING RECEIPT OF DATA ON ACTUAL COST OF WHOLESALE PURCHASE POWER; AND FOR OTHER PURPOSES, was recalled and read. On the motion of Alderman Gipson and seconded by Alderman Thomas, and by consent of all members present, the resolution was adopted (7/0).

NEW BUSINESS

R-06-58 (RESOLUTION NO. 6935 - MAYOR HAYS)

A RESOLUTION REAPPOINTING ROBERT JORDAN TO THE NORTH LITTLE ROCK PLANNING COMMISSION; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Gipson and seconded by Alderman Bryant, and by consent of all members present, the resolution was adopted (7/0). Mayor Hays acknowledged Mr. Jordan who was present and thanked him for his service to the city.

R-06-59 (RESOLUTION NO. 6936 - MAYOR HAYS)

A RESOLUTION REAPPOINTING DON CHAMBERS TO THE NORTH LITTLE ROCK PLANNING COMMISSION; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Gipson and seconded by Alderwoman Robinson, and by consent of all members present, the resolution was adopted (7/0).

R-06-60 (RESOLUTION NO. 6937 - MAYOR HAYS)

A RESOLUTION REAPPOINTING THOMAS MARR TO THE NORTH LITTLE ROCK HISTORIC DISTRICT COMMISSION; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Bryant and seconded by Alderwoman Robinson, and by consent of all members present, the resolution was adopted (7/0).

R-06-61 (RESOLUTION NO. 6938 - MAYOR HAYS)

A RESOLUTION AMENDING THE ANNUAL ACTION PLAN TO DECREASE PROJECT FUNDING AMOUNTS IN ACCORDANCE WITH THE REDUCTION IN THE 2006 CDBG ENTITLEMENT AMOUNT TO THE CITY OF NORTH LITTLE ROCK, ARKANSAS; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderman Witcher and seconded by Alderwoman Robinson. Mayor Hays asked Ms. Mary Beth Bowman, Community Development Director to come forward and explain the reduction in funding. Changes had to be made due to a 9% reduction in Federal Funding for Community Development Block Grant programs. On the previous

motion, and by consent of all members present, the resolution was adopted (7/0). Alderman Witcher asked if he waited on a Ward 4 project (Wood Street) could the allocation used later to fully fund it.

R-06-62 (RESOLUTION NO. 6939 - MAYOR HAYS)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ACCEPT THE DONATION OF A BOAT AND TRAILER FROM THOMAS AND PHYLLIS BENTON; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Berry and seconded by Alderwoman Robinson, and by consent of all members present, with the exception of Alderman Gipson who passed, the resolution was adopted (6/1).

R-06-63 (RESOLUTION NO. 6940 - MAYOR HAYS)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 205 EAST 14TH STREET IN THE CITY OF NORTH LITTLE ROCK TO CONSTITUTE A PUBLIC NUISANCE AND CONDEMNING SAID STRUCTURES, PROVIDING A PERIOD OF TIME FOR PROPERTY OWNER TO ABATE SAID NUISANCE; AND FOR OTHER PURPOSES, was read (owner: Willie Chism). A motion to adopt was made by Alderman Gipson and seconded by Alderman Witcher. On the motion of Alderman Witcher and seconded by Alderman Gipson, and by consent of all members present, the resolution was amended as follows:: *correct address from 204 to 205 (7/0)*. Mayor Hays convened a public hearing. Ms. (inaudible) Wilcox advised her company had been retained by Mr. Chism to demolish the structure. There being no one else wishing to be heard, Mayor Hays adjourned the public hearing. On the motion of Alderman Berry and seconded by Alderman Bryant, and by consent of all members present, the resolution was adopted as amended (7/0).

R-06-64 (RESOLUTION NO. 6941 - MAYOR HAYS)

A RESOLUTION SUPPORTING \$4.3 BILLION IN FEDERAL FY 2007 FUNDING FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Gipson and seconded by Alderman Berry, and by consent of all members present, the resolution was adopted (7/0).

R-06-65 (RESOLUTION NO. 6942 - ALDERMAN WITCHER)

A RESOLUTION ESTABLISHING AN ADVISORY SIGN COMMITTEE FOR THE CITY OF NORTH LITTLE ROCK, ARKANSAS; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderman Witcher and seconded by Alderman Gipson. On the motion of Alderman Witcher and seconded by Alderman Gipson, and by consent of all members present, the resolution was amended as follows:: *insert 7 (numeral seven) in Section 2 blank regarding number of members (7/0)*. On the motion of Alderman Witcher and seconded by Alderman Bryant, and by consent of all members present, the resolution was adopted as amended (7/0).

O-06-43 (ORDINANCE NO. 7823 - ALDERMAN WITCHER)

AN ORDINANCE ALLOWING A SPECIAL USE FOR AN INDOOR SUMMER GYMNASTIC DAY CAMP IN AN I-2 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 4101 RICHARDS ROAD IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read (applicant: Tammy Williams). On the

motion of Alderman Gipson and seconded by Alderman Witcher, and by consent of all members present, the rules were suspended and the ordinance was placed on its second reading (7/0). On the motion of Alderman Witcher and seconded by Alderwoman Robinson, and by consent of all members present, the rules were again suspended and the ordinance was placed on its third and final reading (7/0). The roll having been called, and all members present having voted in the affirmative, the ordinance was adopted (7/0). Emergency clause adopted (7/0).

O-06-44 (ORDINANCE NO. 7824 - ALDERMAN PARKER)

AN ORDINANCE TO RECLASSIFY CERTAIN PROPERTY LOCATED IN THE AREA WEST OF COUNTS MASSIE ROAD AND NORTH OF COLLINS INDUSTRIAL PLACE IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS, FROM THE PRESENT I-2 TO C-2, C-3 AND R-4 CLASSIFICATIONS BY AMENDING ORDINANCE NO. 7697 OF THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES,

was read (applicant: Robert Holloway). On the motion of Alderman Gipson and seconded by Alderman Berry, and by consent of all members present, the rules were suspended and the ordinance was placed on its second reading (7/0). On the motion of Alderman Berry and seconded by Alderwoman Robinson, and by consent of all members present, the rules were again suspended and the ordinance was placed on its third and final reading (7/0). The ordinance was read a third and final time. Mr. Holloway met with Maumelle residents. The project will have 552 units. On the motion of Alderman Witcher and seconded by Alderman Berry, and the roll having been called, and all members present having voted in the affirmative, the ordinance was adopted (7/0). Emergency clause adopted (7/0).

O-06-45 (ORDINANCE NO. 7825 - ALDERMAN PARKER)

AN ORDINANCE ACCEPTING THE ANNEXATION OF LANDS COMMONLY DESCRIBED AS LANDS TO BE TITLED THE "RIVERVIEW BUSINESS PARK ANNEXATION" TO THE CITY OF NORTH LITTLE ROCK; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES,

was read. On the motion of Alderman Gipson and seconded by Alderman Parker, and by consent of all members present, the rules were suspended and the ordinance was placed on its second reading (7/0). On the motion of Alderman Berry and seconded by Alderman Bryant, and by consent of all members present, the rules were again suspended and the ordinance was placed on its third and final reading (7/0). The roll having been called, and all members present having voted in the affirmative, the ordinance was adopted (7/0). Emergency clause adopted (7/0).

PUBLIC COMMENTS-----

Mr. James Ard tried to get a copy of an invoice from MEMS. Mr. Bobby Taylor had a problem recently with a dog. The dog has dug holes in the yard and excrement is in the yard, which smells bad. Mr. Taylor has to keep his windows closed because of the odor. Mr. Taylor thanked the council for their vote regarding Electric Rates. Mr. Matthew Richard thanked the council for adopting the rate ordinance (which repealed the previous one). Alderman Witcher announced the North Little Rock Lions Club Fish Fry, Friday, April 28, 2006, at the Burns Park Hospitality House, National Day of Prayer, Thursday, May 4, 2006, Annual Prayer Breakfast at the Wyndam at 6:30 p.m. and the Police Athletic League (PAL) Golf Tournament, May 12, 2006, at the Burns Park Municipal Golf Course.

There being no further business to come before the Council, and on the motion of Alderman Gipson and seconded by Alderman Berry, and by consent of all members present, the meeting adjourned at 9:00 p.m. (7/0), until the next regular meeting to be held on Monday, May 8, 2006, at seven o'clock p.m. in the City Council Chamber in City Hall, located at 300 Main Street, North Little Rock, Arkansas.

APPROVED: MAYOR PATRICK HENRY HAYS

ATTEST: DIANE WHITBEY, CITY CLERK